

Exhibit B

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

In re: PHARMACEUTICAL INDUSTRY)
AVERAGE WHOLESALE PRICE)
LITIGATION) MDL No. 1456
) Civil Action No. 01-12257-PBS
)

THIS DOCUMENT RELATES TO:) Subcategory Case No. 06-11337-PBS
)
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)
United States of America ex rel. Ven-a-)
Care of the Florida Keys, Inc., v.)
Boehringer Ingelheim Corp., et al., Civil)
Action No. 07-10248-PBS)

ORDER OF DISMISSAL WITH PREJUDICE

Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure and the *qui tam* provisions of the False Claims Act, 31 U.S.C. § 3730(b)(1), the United States, Relator Ven-A-Care of the Florida Keys, Inc. and Defendants Boehringer Ingelheim Corporation, Boehringer Ingelheim Pharmaceuticals, Inc., Roxane Laboratories, Inc., and Roxane Laboratories, Inc. n/k/a Boehringer Ingelheim Roxane, Inc. (all four entities referred to collectively as “Roxane”) have filed a Stipulation of Dismissal with Prejudice. Upon due consideration of the Stipulation, IT IS HEREBY ORDERED that, consistent with the terms of the Settlement Agreement attached to the Stipulation as Exhibit A,

1. The above-captioned action is dismissed with prejudice;
2. Each party shall be responsible for its own expenses, attorneys’ fees, and costs;

and

3. The Court shall retain jurisdiction with respect to any dispute under the Settlement Agreement.

This _____ day of _____, 2010.

PATTI B. SARIS
UNITED STATES DISTRICT JUDGE